



U.S. Department
of Transportation
**Research and
Special Programs
Administration**

400 Seventh St., S.W.
Washington, D.C. 20590

JAN - 5 2005

Mr. Marc Kleinman
Instructor
Lion Technology Inc.
P.O. Drawer 700
Lafayette, NJ 07848

Ref No.: 04-0220

Dear Mr. Kleinman:

This is in response to your letter dated August 30, 2004 regarding the limited quantity marking requirement established by Docket HM-215E (68 FR 44992; 45031; July 31, 2003) and revised by Docket HM-215G (69 FR 76044; December 20, 2004). Specifically, you ask if the letters "RQ" and the technical name of a hazardous substance must appear on a package when using the limited quantity marking found in § 172.315.

As specified in § 172.315, except for transportation by aircraft, marking the package with the identification number inside a white square-on-point configuration identifies the material as a limited quantity and fulfills the requirements of § 172.301(a)(1). If shippers use this method to identify packages containing limited quantities, they are not required to mark the proper shipping name, technical name, hazardous substance name(s) or "RQ" on the package.

I hope this information is helpful. Please contact us if you require additional assistance.

Sincerely,

Edward T. Mazzullo
Director
Office of Hazardous Materials Standards



040220

172.315
172.324



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Eichenlaub
§172.315
§172.324
Markings
04-0220

August 30, 2004

Ms. Susan Gorsky
Sr. Transportation Regulations Specialist
US DOT/RSPA (DHM-10)
400 7th St., S.W.
Washington, DC 20590-0001

Re: Limited Quantity marking

Ms. Gorsky,

Lion Technology Inc. has been providing hazardous materials transportation training for more than 25 years. We have always endeavored to provide our students with regulatory training that is as technically correct as we can make it. Since we are training thousands of people every year, we feel it is very important that what we teach is aligned with current DOT interpretation.

We are requesting written confirmation of a particular interpretation regarding recent regulatory changes under Docket HM-215E (7/31/03).

The recent change to 49 CFR part 172 included adding section 172.315 which allows limited quantity packages to be marked with the identification number placed within a diamond (square-on-point) as an alternative to marking the proper shipping name of the material on the package. Under the new final rule, shippers essentially have the option of marking the proper shipping name, the identification number within a diamond, or both.

Under existing rules at 49 CFR 172.324(b) the letters "RQ" must be marked on the package in association with the proper shipping name. Further, under 172.324(a) if the proper shipping name does not identify the hazardous substance by name, the name of the hazardous substance must be marked on the package, in parentheses, in association with the proper shipping name. There is no mention of these issues in the preamble of the final rule.

1. If the diamond marking is used instead of the proper shipping name, and the material meets the definition of hazardous substance under 171.8, would the letters "RQ" under 172.324(b) still be required?

2. If the diamond marking is used instead of the proper shipping name, and the package is required to mark the letters "RQ" under 172.324(b), must the name of the hazardous substance be marked on the package, in parentheses, in association with the proper shipping name, when in fact there is no proper shipping name required?

Ms. Susan Gorsky
US DOT/RSPA

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3. If this information is required, would it be correct to assume that it must be marked near the square-on-point identification number marking?

Thank you for your attention to this matter. I look forward to your response.

Sincerely,
LION TECHNOLOGY INC.



Marc Kleinman
Instructor

